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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,499	04/15/2004	Kazuhiro Shiraga	33549US1	8569
116	7590	09/22/2005	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			NGUYEN, HUY D	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments, filed 6/24/2005, with respect to the rejection(s) of claim(s) 1 and 2 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sakuma (U.S. Patent No. 6,317,605) and Kwon (U.S. Patent No. 6,810,252).

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "third wireless communication section" in line 9. There is insufficient antecedent basis for this limitation in the claim.

The examiner will assume "third wireless communication section" to be "second wireless communication section".

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al. (U.S. Patent No. 6,147,598) in view of H'mimy et al. (U.S. Patent No. 6,512,752).

Regarding claims 1-2, Murphy et al. teaches a wireless communication system comprising a first terminal apparatus and a second terminal apparatus, wherein said first terminal apparatus comprises: a position detecting section (e.g., location determination system 135) for detecting the positional information of said first terminal apparatus; a computer for generating image information (see column 4, lines 18-27); and a first wireless communication section (e.g., transmitter) for transmitting said image information to a second wireless communication section (e.g., receiver) of said second terminal apparatus; and wherein said second terminal apparatus comprises: said second wireless communication section for receiving said image information; and a displaying section for displaying said image information (see column 7, lines 46-60).

Murphy et al. does not teach transmitting image information to a second wireless communication section through a first communication channel (e.g., target frequency) defined depending on positional information.

However, the preceding limitation is taught in H'mimy et al. (see column 7, lines 58-59).

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It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of H'mimy et al. to the teaching of Murphy et al. in order to provide more efficient use of network resources and to improve communication link quality between the communication terminals.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Marrah et al. (U.S. Patent No. 6,728,522) teaches weather band radio and method of tuning same.
- Refai et al. (U.S. Patent No. 6,788,917) teaches timing system and method for forward link diversity in satellite radiotelephone systems.

### ***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Huy Nguyen



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